

RECEIVED  
CENTRAL FAX CENTER

JUN 10 2009

MARTIN & FERRARO, LLP  
ATTORNEYS AT LAW  
1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632

Telephone  
(330) 877-0700

Facsimile  
(330) 877-2030

---

**FACSIMILE TRANSMITTAL**

---

**TO:**

**Name:** Mail Stop AMENDMENT  
Art Unit 3775/Examiner Richard R. Shaffer

**Firm:** U.S. Patent & Trademark Office

**Fax No.:** 571-273-8300

**Subject:** U.S. Patent Application No. 10/802,906

Gary K. Michelson

Filed: March 17, 2004

ORTHOPEDIC IMPLANT WITH LOCKING

ELEMENT (as amended)

Attorney Docket No. 101.0058-03000

Customer No. 22882

Confirmation No.: 5309

**FROM:**

**Name:** Thomas H. Martin, Esq.

**Phone No.:** 330-877-2277

**No. of Pages (including this):** 10

**Date:** June 10, 2009

**Confirmation Copy to Follow:** NO

---

**Message:****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; total amount of \$1,110.00 to cover the three-month extension fee is to be charged to Deposit Account No. 50-3726) and Reply to Office Action are being facsimile transmitted to the U.S. Patent and Trademark Office on June 10, 2009.

  
Sandra L. Blackmon

If there is a problem with this transmission please call the sender at the number above.

---

The information contained in this facsimile message is privileged and confidential information intended only for the use of the addressee listed above. If you are not the intended recipient or the employee or agent responsible to deliver this message to the intended recipient, please do not use this transmission in any way, but contact the sender by telephone.

---

FORM PTO-1083

Attorney Docket No.: 101.0058-03000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

JUN 10 2009

In re application of:

Gary K. Michelson

Serial No: 10/802,906

Filed: March 17, 2004

For: ORTHOPEDIC IMPLANT WITH

LOCKING ELEMENT (as amended)

Confirmation No.: 5309

Art Unit: 3775

Examiner: Richard R. Shaffer

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Reply to Office Action in response to the Office Action dated December 10, 2008 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a three-month extension of time to respond to the above office action.
- ☐ A Terminal Disclaimer is enclosed.
- ☐ An Information Disclosure Statement Under 37 C.F.R. § 1.97(b) with Form PTO/SB/08 is enclosed.
- ☒ The total amount of \$1,110.00 to cover the three-month extension fee is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. **A copy of this sheet is enclosed.**
  - ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
  - ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN &amp; FERRARO, LLP

Date: June 10, 2009

By: 

Thomas H. Martin

Registration No. 34,383

1557 Lake O'Pines Street, NE

Hartville, Ohio 44632

Telephone: (310) 286-9800

Facsimile: (310) 286-2795

FORM PTO-1083

Attorney Docket No.: 101.0058-03000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

JUN 10 2009

In re application of:

Gary K. Michelson

Serial No: 10/802,906

Filed: March 17, 2004

For: ORTHOPEDIC IMPLANT WITH  
LOCKING ELEMENT (as amended)

Confirmation No.: 5309

Art Unit: 3775

Examiner: Richard R. Shaffer

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Dear Sir:

Transmitted herewith is a Reply to Office Action in response to the Office Action dated December 10, 2008 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a three-month extension of time to respond to the above office action.
- ☐ A Terminal Disclaimer is enclosed.
- ☐ An Information Disclosure Statement Under 37 C.F.R. § 1.97(b) with Form PTO/SB/08 is enclosed.
- ☒ The total amount of \$1,110.00 to cover the three-month extension fee is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. **A copy of this sheet is enclosed:**
  - ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
  - ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLP

Date: June 10, 2009

By:   
Thomas H. Martin  
Registration No. 34,383

1557 Lake O'Pines Street, NE  
Hartsville, Ohio 44632  
Telephone: (310) 286-9800  
Facsimile: (310) 286-2795